PTO/SB/08a (08-03). Approved for use through 07/31/2006. OMB 0651-0031

12/21/2006

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Considered

to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons Complete if Known 10/750,909 Substitute for form 1449A/PTO Application Number September 10, 1998 INFORMATION DISCLOSURE Filing Date LEVY Avraham et al First Named Inventor STATEMENT BY APPLICANT 1638 Art Unit Examiner Name (use as many sheets as necessary) 27282 Attorney Docket Number 2 Sheet U.S. PATENT DOCUMENTS Pages, Columns, Lines, Where Name of Patentee or **Publication Date** Relevant Passages or Relevant Document Number Examiner Cite No. Applicant of Cited Document MM-DD-YYYY Figures Appear Initials* Number-Kind Code^{2 (if known)} Fillatti et al. 10-15-1996 US-5,565,347 MI FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, **T**6 Name of Patentee or Cite No. Where Relevant Passages Examiner Foreign Patent Documents Applicant of Cited Document or Relevant Figures Appear Initials* MM-DD-YYYY Country Code3 Number4 Kind Code5 (if known) Date

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Examiner

Signature

/Medina Ibrahim/

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	INTE	DRMATION DISCLOSURE	Filing Date		ber 10, 1998
STATEMENT BY APPLICANT			First Named Inventor		Avraham et al
	STA	TEMENT BY APPLICANT	Group Art Unit	1638	
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	12	2	Attorney Docket Number		
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	1	Elimination of Marker Genes from Transgenic Tomat	o", Bio/Technology, 11:	1286-	
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		Meissner et al. "A New Model System for Tomato Go	enetics", Plant Journal, 1	2(6),	
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		Peng et al. "Green Revolution Genes Encode Mutan	t Gibberellin Response		1
MI					
		Modulators", Nature, 400: 236-261, 1999. Yakovleva "Genetic Study of Tomato Mutants with V	Variable Cell Turgor", G	enetika,	
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		Zeerak et al. "Induced Dwarf Mutants in Tomato", Jo	ournal of Nuclear Agricu	iture	į
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SUPPLEMENTAL INFORMATION DISCLOSURE

of 4

STATEMENT BY APPLICANT
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Sheet

Substitute for form 1449A/PTO

Complete if Known

Application Number 10/750,909

Filing Date January 5, 2004

First Named Inventor Avraham LEVY et al

Art Unit 1638

Examiner Name IBRAHIM, MEDINA AHMED

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			U.S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documen	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ^{2 (if known)}			
MI	1	US-5,523,520	06-04-1996	Hunsperger et al.	
MI	2	US-6,759,569	07-06-2004	Levy et al.	
MI	3	US-4,732,856	03-22-1988	Federoff	
MI	4	US-5,013,658	05-07-1991	Dooner et al.	
MI	5	US-5,149,645	09-22-1992	Hoeckema et al.	
MI	6	US-5,225,341	07-06-1993	Yoder et al.	
MI	7	US-5,482,852	01-09-1996	Yoder et al.	
MI	8	US-5,749,169	05-12-1998	Briggs	
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Attorney Docket Number

		FOREIGN	PATENT DOC	UMENTS		
Examiner Initials*	Cite No. 1	Foreign Patent Documents Country Code ³ Number ⁴ Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T 6
MI	9	WO 99/12411	03-18-1999	Levy et al.		П
MI	10	WO 96/39803	12-19-1996	Briggs		\sqcap
MI	11	WO 92/01370	06-6-1992	Yoder et al.		П
MI	12	EP 0436007	07-26-1990	Offringa et al.		П
MI	13	EP 0563527	06-6-1993	Schafer et al.		\Box
MI	14	EP 0289947	09-9-1988	Wilson		\square
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Complete if Known Substitute for form 1449A/PTO Application Number 10/750,909 SUPPLEMENTAL INFORMATION Filing Date January 5, 2004 **DISCLOSURE** Avraham LEVY et al First Named Inventor STATEMENT BY APPLICANT Group Art Unit 1638

(use as many sheets as necessary) **Examiner Name** IBRAHIM, MEDINA AHMED

		nuny sneets us necessary)	Examiner Name	IBRAHIM, MEDINA AHMEL					
Sheet	2	of 4	Attorney Docket Number	27282					
		OTHER PRIOR ART – NON PAT	ENT LITERATURE DO	CUMENTS					
Examiner	Cite	Include name of the author (in CAPITAL LETTE	ERS), title of the article (when a	appropriate), title of					
Initials	No.¹	the item (book, magazine, journal, serial symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.							
MI	15	ishop et al. "The Tomato Dwarf Gene Isolated by Heterologous Transposon agging Encodes the first Member of a New Cytochrome P450 Family", The lant Cell, 8(6):959-969, 1996. Claims: X: 22,26-32, Y: 18-21.							
MI	16	Yoder et al. "Ac Transposition in Transgenic Tomato Plants", Molecular Genetics and Genomics, 213(2-3): 291-296, 1988. Abstract.							
MI	17	Zwaal et al. "Target-Selected Gene Inac	Zwaal et al. "Target-Selected Gene Inactivation in Ceanorhabditis Elegans by Using A Frozen Transposon Insertion Mutant Bank", Proc. Natl. Acad. Sci.						
MI	18	Cooley et al. "Site-Selected Insertional and Ds Elements", Molecular Genetics 1996. Abstract.							
MI	19		Damasco et al. "Gibberellic Acid Detection of Draft Offtypes in Microspropogated Cavendish Bananas", Australian Journal of Experimental						
MI	20	Scott et al. "Influence of Pollination Treatments on Fruit Set and Development in Parthenocarpic Tomato", HortScience, 19(6): 874-876, 1984.							
MI	21	Scott et al. " Micro-Tom. A Miniature Dwarf Tomato", IFAS Circular, 370: 1-6, 1989.							
MI	22	Scott et al. " Micro-Gold Miniature Dwarf Tomato", HortScience, 30(3): 643-644, 1995. P.643 l-h Col., § 2.							
MI	23	Ballinger et al. "Targeted Gene Mutations in Drosophila", Proc. Natl. Acad.Sci. USA, 86: 9402-9406, 1989.							
MI	24	Bensen et al. "Cloning and Characterization of the Maize An1 Gene", The Plant Cell, 7: 75-84, 1995.							
MI	25	Carroll et al. "Germinal Transpositions From T-DNA Loci in Tomato", Genetic		ssociation					
MI	26	Cresse et al. "Mul-Related Transposablinsert Into Low Copy Number DNA", (le Elements of Maize Pre						
MI	27	Federoff et al. "Cloning of the Bronze Locus in Maize by A Simple and Generalizable Procedure Using the Transposable Controlling Element Activator (Ac)", Proc. Natl. Acad. Sci. USA, 81(12): 3825-3829, 1984. Abstract.							
MI	28	Federoff et al. "A Versatile System for Arabidopsis", Plant Journal, 3(2): 273-2	Detecting Transposition	in					
MI	29	Feinberg et al. "A Technique for Radiolabeling DNA Restriction Endonuclease Fragments to High Specific Activity", Analyses in Biochemistry, 132(1): 6-13, 1983. Abstract.							
MI	30	Fillatti et al. "Efficient Transfer of A Glyphosate Tolerance Gene Into Tomato Using A Binary Agrobacterium Tumefaciens Vector", Bio/Technology, 5: 726-730, 1987. Abstract.							
MI	31	Gorbunova et al. "Circularized Ac/Ds Transposons: Formation, Structure and Fate", Genetics, 145: 1161-1169, 1997.							

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Application Number SUPPLEMENTAL INFORMATION **DISCLOSURE**

Substitute for form 1449A/PTO

Filing Date January 5, 2004 First Named Inventor Avraham LEVY et al

10/750,909

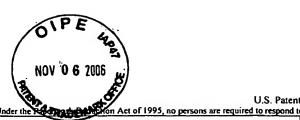
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	(use as	many sheets as necessary)	Examiner Name	IBRAHIM, MEDINA AHMED			
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		OTHER PRIOR ART – NON PAT	ENT LITERATURE DO	CUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.					
MI	32	Greenblatt "A Chromosome Replication Pattern Deduced From Pericarp Phenotypes Resulting From Movements of the Transposable Element, Modulator, in Maize", Genetics, 108: 471-485, 1984.					
MI	33	Hedden et al. "Gibberellin Biosyntheses: Enzymes, Genes and Their Regulation", Annual Review of Plant Physiology and Plant Molecular Biology, 48: 431-460, 1997. Abstract.					
MI	34	Hoekema et al. "A Binary Plant Vector and T-Region of the Agrobacterium Tu 179-180. 1983. Abstract.	mefaciens Ti-Plasmid", N	Nature, 303:			
MI	35	Horsch et al. "A Simple and General M Plants", Science, 227(4691): 1229-1231	I, 1985. Abstract.				
MI	36	Jones et al. "Preferential Transposition Linked Chromosomal Locations in Tob	of the Maize Element Acoacco", The Plant Cell, 2:	701-707, 1990.			
MI	37	Kaiser et al. "'Site-Selected' Transposon Mutagenesis of Drosophila", Proc. Natl. Acad. Sci. USA, 87: 1686-1690, 1990.					
MI	38	Keddie etal. "The DCL Gene of Tomato Development and Palisade Cell Morpho Journal, 15(16): 4208-4217, 1996.	o Is Required for Chlorop	olast EMBO			
MI	39	Knapp et al. "Transgenic Tomato Lines Genomic Positions as Tools for Targete Genet., 243: 666-673, 1994. P. 666 Rig Claims: 33-36.	ed Transposon Tagging",	Mol. Gen.			
MI	40	Leutwiler et al. "The DNA of Arabidop Genomics, 194(1-2): 15-23, 1984. Abst	sis Thaliana", Molecular	Genetics and			
MI	41	Mena et al. "Diversification of C-Functi Development", Science, 274(5292): 153	ion Activity in Maize Flo	ower			
MI	42	Osborne et al. "Ac Transposition From Unlinked Clusters of Insertions in Toma 1991.	A T-DNA Can Generate ato Genome", Genetics, I	29: 833-844,			
MI	43	Rommens et al. "Characterization of the Tomato Plants Using Plasmid Rescue", 1992. Abstract.	Plant Molecular Biology	7, 20(1): 61-70,			
MI	44	Schoenmakers et al. Isolation and Chara Deficient Mutants in Tomato (Lycopers and Gene Genetics, 227: 458-464, 1991	sicon Esculemtrum Mill.) . Abstract.	", Molecular			
MI	45	Scott et al. "Adjacent Sequences Influer Transposon Excision in Maize", Genetic	nce DNA Repair Accomp cs, 142: 237-246, 1996.				
MI	46	Shalev et al. "The Maize Transposable I Between the Donor Site and An Homole 146: 1143-1151, 1997.	Element Ac Induces Reco	ombination ', Genetics,			

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MI	47	Sundaresan et al. Enhancer Trap ar	Sundaresan et al. "Pattern of Gene Action in Plant Development Revealed by Enhancer Trap and Gene Trap Transposable Elements", Genes & Development, 9(14): 1797-1810, 1995. Abstract.					
MI	48	Carrying T-DNA	s in Tomato Using the	osomal Distribution of Tra e Inverse Polymerase Cha 2(5): 573-585, 1994. Abst	in Reaction",			
MI	49	Weide et al. "A S Active Kanamyci	Weide et al. "A Simple, Nondestructive Spraying Assay for the Detection of An Active Kanamycin Resistance Gene in Transgenic Tomato Plants", Theoretical Applied Genetics, 78(2): 169-172, 1989. Abstract.					
MI	50		Weigel et al. "A Development Switch Sufficient for Flower Initiation in Diverse Plants", Nature, 377(6549): 495-500, 1995. Abstract.					
MI	51			Characterization of Adhenomics, 226: 120-128, 1				
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Signature	/Medina Ibrahim/		Considered	12/21/2006

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